

10/528276

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Robert Stamper, et al.

Application No.: 10/528,276

Filed: March 16, 2005

Attorney Docket No.: ISSCP003

Examiner: Unknown

Group: Unknown

**Title: APPARATUS AND METHOD FOR  
SURGICAL BYPASS OF AQUEOUS HUMOR**



## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on September 6, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: Valerie Olsen  
Valerie Olsen

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Offices mailed July 22, 2005(copy enclosed), applicants claim small entity status (see 37 CFR 1.27) and submit herewith the following:

- Payment of the surcharge of \$65.00 for late filing of the declaration; and
- A Declaration For Original U.S. Patent Application in compliance with 37 CFR §1.63;
- A Power Of Attorney By Assignee And 37 C.F.R. 3.73 Statement;
- Second Preliminary Amendment;
- Assignment Recordation Sheet and Assignment; and
- A check in the total amount of \$105.00 is attached.

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It is understood that this perfects the application and no additional papers or filing fees are required. The Commissioner is authorized to charge any additional fees that may be due to our Deposit Account No. 500388 (Order No. ISSCP003).

Dated: \_\_\_\_\_

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

  
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JC02 Rec'd PTO 08 SEP 2005

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/528,276	Robert Stamper	ISSCP003
INTERNATIONAL APPLICATION NO.		
PCT/US03/29488		
I.A. FILING DATE		PRIORITY DATE
09/17/2003		09/17/2002
CONFIRMATION NO. 4914		
371 FORMALITIES LETTER		
 *OC000000016591391*		

Date Mailed: 07/22/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/16/2005
- Copy of the International Search Report filed on 03/16/2005
- Preliminary Amendments filed on 03/16/2005
- Small Entity Statement filed on 03/16/2005
- Request for Immediate Examination filed on 03/16/2005
- U.S. Basic National Fees filed on 03/16/2005
- Priority Documents filed on 03/16/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE**

**DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

WINSTON M ALVARADO

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Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,276	PCT/US03/29488	ISSCP003

FORM PCT/DO/EO/905 (371 Formalities Notice)